

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
No. 7:10-CV-77-D

BETTY JEAN WILKERSON,)
)
Plaintiff,)
)
v.)
)
MICHAEL J. ASTRUE,)
Commissioner of Social Security,)
)
Defendant.)

ORDER


On August 19, 2011, Magistrate Judge Daniel issued a Memorandum and Recommendation (“M&R”) [D.E. 31]. In that M&R, Judge Daniel recommended that plaintiff’s motion for judgment on the pleadings be denied, defendant’s motion for judgment on the pleadings be granted, and that the defendant’s final decision be affirmed. No party filed objections to the M&R.

“The Federal Magistrates Act requires a district court to make a de novo determination of those portions of the [magistrate judge’s] report or specified proposed findings or recommendations to which objection is made.” Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (alteration in original) (emphasis removed) (quotation omitted). Absent a timely objection, “a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Id. (quotation omitted).

The court has reviewed the M&R, the record, and the briefs. The court is satisfied that there is no clear error on the face of the record. Plaintiff’s motion for judgment on the pleadings [D.E. 27] is DENIED, defendant’s motion for judgment on the pleadings [D.E. 28] is GRANTED,

the defendant's final decision is AFFIRMED, and this action is DISMISSED. The clerk is directed to close the case.

SO ORDERED. This 7 day of September 2011.


JAMES C. DEVER III
United States District Judge